

**MINUTES OF THE  
EDUCATION INTERIM COMMITTEE**

Wednesday, July 20, 2011 – 8:00 a.m. – Room 445 State Capitol

**Members Present:**

Sen. Howard A. Stephenson, Senate Chair  
Sen. Lyle W. Hillyard  
Sen. Karen W. Morgan  
Sen. Wayne L. Niederhauser  
Sen. Aaron Osmond  
Sen. Daniel W. Thatcher  
Rep. Johnny Anderson  
Rep. LaVar Christensen  
Rep. Steven Eliason  
Rep. Gregory H. Hughes  
Rep. John G. Mathis  
Rep. Kay L. McIff  
Rep. Carol Spackman Moss  
Rep. Merlynn T. Newbold

Rep. Jim Nielson  
Rep. Marie H. Poulson  
Rep. Kenneth W. Sumsion

**Members Absent:**

Rep. Bill Wright, House Chair  
Sen. Jerry W. Stevenson  
Rep. Patrice M. Arent  
Rep. Val L. Peterson

**Staff Present:**

Ms. Allison M. Nicholson, Policy Analyst  
Ms. Constance C. Steffen, Policy Analyst  
Ms. Angela Oakes Stallings, Associate General Counsel  
Ms. Chelsea B. Lloyd, Legislative Secretary

**Note:** A list of others present, a copy of related materials, and an audio recording of the meeting can be found at [www.le.utah.gov](http://www.le.utah.gov).

**1. Committee Business**

Chair Stephenson called the meeting to order at 8:20 a.m. Sen. Stevenson, Rep. Arent, Rep. Peterson, and Rep. Wright were excused from the meeting.

**MOTION:** Sen. Osmond moved to approve the minutes of the June 15, 2011 meeting. The motion passed unanimously. Rep. Christensen and Rep. Sumsion were absent for the vote.

**2. Sunset Review of Utah Code Section 53A-1-403.5. Education of persons in custody of the Utah Department of Corrections**

Ms. Steffen explained that Utah Code Section 53A-1-403.5, which provides for the education of individuals in the custody of the Department of Corrections, is due for reauthorization. In addition, she explained that 2012 General Session draft legislation, "Correction Education Amendments" (2012FL-0150/006), has been prepared for the Committee's consideration. She explained that the draft legislation amends Utah Code Section 53A-1-403.5 by requiring the Utah Department of Corrections to report every three years on the impact of corrections education programs on recidivism.

Mr. Mike Haddon, Deputy Director, Utah Department of Corrections, distributed "Utah Department of Corrections General Information Related to June 2011 Interim Committee." He commented on the draft legislation and explained that the Utah Department of Corrections supports the legislation.

Dr. Martell Menlove, Deputy Superintendent, State Board of Education, and Dr. Gary Wixom, Assistant Commissioner, State Board of Regents, spoke in favor of the draft legislation.

**MOTION:** Sen. Morgan moved to adopt 2012 General Session draft legislation, "Correction Education Amendments" (2012FL-0150/006) as a committee bill. The motion passed unanimously. Rep. Hughes was absent for the vote.

**MOTION:** Rep. McIff moved to recommend that Utah Code Section 53A-1-403.5 be removed from the Sunset Act.

**SUBSTITUTE MOTION:** Sen. Niederhauser moved to reauthorize Utah Code Section 53A-1-403.5 for ten years. The substitute motion passed unanimously. Rep. Hughes was absent for the vote.

### **3. School Board Elections**

Chair Stephenson turned the chair over to Rep. Newbold.

Rep. Moss, Rep. Nielson, and Sen. Stephenson presented proposals to modify existing law regarding the selection of members of the State Board of Education or a local school board.

Rep. Moss proposed that the current process in which the governor nominates candidates for positions on the State Board of Education be eliminated and replaced with the direct election of members of the State Board of Education or a local school board.

Rep. Nielson expanded on the proposal presented by Rep. Moss with the addition of adding a requirement that state and local school board elections be held in odd-numbered years.

Sen. Stephenson proposed that the current process of nominating and electing members to the State Board of Education be replaced with a partisan election process.

The Committee discussed the presentations.

Mr. Kory Holdaway, Utah Education Association, expressed concerns with partisan elections for state school board elections. He explained the need to preserve the system currently in place, which ensures that candidates are reflective of the general public.

Dr. Patti Harrington, Associate Executive Director, Utah School Boards Association, expressed concern with partisan school board elections and encouraged an alternative of involving school community councils in the selection process for school board candidates.

### **4. Calculation of High School Graduation Rates**

Due to time constraints, the Committee did not address this item.

### **5. Other Items/Adjourn**

**MOTION:** Sen. Stephenson moved to adjourn the meeting. The motion passed unanimously with Rep. Hughes absent for the vote.

Chair Newbold adjourned the meeting at 9:52 a.m.